

Application No. 10/673,807
Amendment dated 02/03/2006
Reply to Office Action of October 3, 2005

02-ASD-272 (EM)

REMARKS

Formal issues

The Examiner objected to the specification because of an informality. Applicant has corrected the reference numeral in paragraph [0016] according to the Examiner's helpful suggestion. Withdrawal of the objection to the specification is respectfully requested.

§ 103(a) rejection

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art ("the APA") in view of U.S. Patent No. 3,767,211 to Amphlett ("Amphlett") and U.S. Patent No. 3,740,062 to Robins ("Robins"). Applicant respectfully traverses this rejection.

The Examiner admitted that the APA fails to show disposing a capsule filled with sealant, but asserted that Amphlett and Robins both show the steps of disposing such a capsule on a gasket and then squeezing the capsule to dispense the sealant. Applicant respectfully traverses this rejection.

Applicant has amended independent claim 1 to clarify the amount of sealant held in the capsule to distinguish it over the microcapsules shown in Amphlett and Robins. Both Amphlett and Robins show gaskets having a sealant coating containing pressure-rupturable microcapsules suspended within the coating. As shown in Figure 3 of Robins, the coating is applied in a thin, even layer so that the microcapsules burst and spread sealant over a substantially flat surface when the gaskets are pressed together. Each individual microcapsule holds a tiny amount of sealant and cannot form any kind of seal on its own; for example, Amphlett teaches using capsules that are 100 to 300 microns in diameter (col. 3, lines 8-9). The capsule used in the claimed method, however, holds enough substantially enough sealant to form the seal. A capsule of this size is neither shown nor contemplated by either reference.

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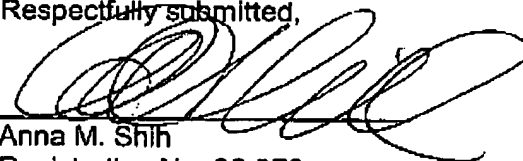
Further, Amphlett and Robins assume that the surfaces to be sealed together by the sealant are substantially flat and sheet-like with only slight surface irregularities (see, e.g., Amphlett, col. 1, lines 6-60 and col. 3, lines 28-38 and Robins, Figures 1 and 2). Thus, neither reference even contemplates adjoining gaskets that form a pocket between them like the claimed invention between them, much less teach a capsule that disposes sealant in such a pocket. Both references are completely inappropriate for sealing adjacent gaskets forming a pocket because the microcapsule coating shown in both references is far too thin to seal the space formed by a pocket.

Because neither reference teaches or suggests adjacent gaskets forming a pocket between them or a capsule that contains sufficient sealant to substantially form a seal, the Examiner fails to establish a prima facie case of obviousness with respect to claims 1-6. Withdrawal of the rejection is therefore respectfully requested.

Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the APA, Amphlett and Robins and further in view of U.S. Patent No. 5,853,030 to Walding and U.S. Patent no. 5,149,108 to Leiszter. Applicant respectfully traverses this rejection. Claims 7 and 8 depend on patentable independent claim 1 and are therefore patentable for the reasons explained above. Withdrawal of the rejection is therefore respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 05-0275.

Respectfully submitted,



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